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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/022,979	02/12/1998	MITSUO NIIDA	35.C12549	6329
5514	7590	01/04/2005		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER JONES, PRENELL P	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/022,979

Applicant(s)

NIIDA ET AL

Examiner

Prenell P Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28,32-35,42 and 46-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28,32-35,42 and 46-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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Response to Arguments

Applicant's arguments filed July 2, 2004 have been fully considered but they are not persuasive.

Applicant argues that the prior art does not detect connection states as associated with communication interfaces. Examiner disagrees, because Tompkins discloses a video conference network wherein the architecture includes a switching network that operate in various operating modes, network controller/switch that determines available communication interconnection with video terminals, first/second interface, detection of device disconnection associated with locking/activating modes associated with the interface network master and mix master.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 28, 33, 34, 42, 46, 49, 50 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagao in view of Tompkins et al.

Regarding claims 28, 33, 34, 42, 46, 49, 50, 52, Nagao discloses (Abstract, Figs. 1-3, 6, 7, 10, 14, 15, col. 4, line 5 thru col. 10, line 64) a video conference system which communicate between apparatuses wherein the architecture includes communicating images, first/second interface associated with different communication standards, control unit, video camera, (col. 2, line 23-44) rejecting communication when a communication line is disconnected; control unit controls connecting/disconnecting terminals with respect to communication setup. Nagao is silent on setting the mode/setting of the interface. In analogous art, (Abstract, Fig. 1 s 3, 4a, 6, 7, 8-11, 16, 17, 26, 27, col. 5, line 24 thru col. 11, line 67, col. 20, line 14 thru col. 30, line 49) Tompkins discloses a video conference network wherein the architecture includes a switch network that operate in various operating modes, network controller/switch that determines available communication interconnection with video terminals, first/second interface, multiple communication standards (RS-232, RS-422) camera, (col. 62, line 37-67) controller determines all data flow, and (col. 53, line 38 thru col. 62, line 68) network master and mix master wherein both are interfaced to multiple nodes/devices, interfaces controlled by controller, locking/activating modes associated with the interface network master and mix master, detection of device disconnection warrants the mix master to take over communication, thereby becoming the master network and the initial master network is powered down, wherein communication with this interfaced master network is halted. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement setting the activation state of an interface as well as an interfaced device as taught

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by Tompkins with the teaching of Nagao who also discloses a videoconference apparatus and its' associated terminals for the purpose of managing communication between conference participants (communication apparatuses) on a priority bases.

5. Claims 32, 35, 47, 48, 51 and 53-57 are rejected under 35 U.S.C. 103(a) as being un-patentable over Nagao in view of Tompkins et al as applied to claims 28, 33, 34, 42, 46, 49, 50 and 52 above, and further in view of Hwang.

Regarding claims 32, 35, 47, 48, 51 and 53-57, as indicated above, Nagao discloses (Abstract, Figs. 1-3, 6, 7, 10, 14, 15, col. 4, line 5 thru col. 10, line 64) a video conference system which communicate between apparatuses wherein the architecture includes communicating images, first/second interface associated with different communication standards, control unit, video camera, (col. 2, line 23-44) rejecting communication when a device/communication line is disconnected, control unit controls connecting/disconnecting terminals with respect to communication setup, and Tompkins (Abstract, Fig. 1, 3, 4a, 6, 7, 8-1 1, 16, 17, 26, 27, col. 5, line 24 thru col. 11, line 67, col. 20, line 14 thru col. 30, line 49) discloses a video conference network wherein the architecture includes a switching network that operate in various operating modes, network c6ntroller/switch that determines available communication interconnection with video terminals, first/second interface, multiple communication standards (RS-232, RS-422) camera, (col. 62, line 37-67) controller determines all data flow, and (col. 53, line 38 thru col. 62, line 68) network master and mix master wherein both are interfaced to multiple nodes/devices, interfaces controlled by controller, locking/activating modes associated with the interfaced network master and mix master, detection of device disconnection warrants the mix master to take over communication, thereby becoming the master network and the initial master network

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is powered down, wherein communication with this interfaced master network is halted. Both Nagao and Tompkins are silent on an imaging apparatus, which includes interfaced standards IEEE 1394 and R5232C or R5422 or USB. In analogous art, Hwang discloses (Abstract, Fig. 11, col. 5, line 39 thru col. 13, line 16, col. 14, line 19 thru col. 21, line 67 an interactive television system communicating with multiple users, video on demand, video images, a first/second interface, IEEE 1394 standard, R5422/R5232 standard protocols associated with an image interactive TV (ITV) panel, USB standard. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention be motivated to implement using IEEE 1394 along with an R5232C or R5422 or USB for the purpose of communicating coherently in a multimedia system and associated multiple users.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

December 26, 2004

KWANG BIN YAO
PRIMARY EXAMINER

